

Legal Services Corporation FY 2005 Appropriation

WITH RESCISSIONS, SELECTED GENERAL PROVISIONS
AND CONFERENCE REPORT LANGUAGE

*Additional general provisions not excerpted herein that apply to
LSC's appropriation appear in the full statute.*

The full statute is available, as H.R. 4818, at:
<http://thomas.loc.gov/home/approp/app05.html>

Public Law No: 108-447
118 Stat. 2809
H.R. 4818

December 8, 2004

One Hundred Eighth Congress of the United States of America
AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday, the twentieth day of January, two
thousand and four*

An Act

Making appropriations for Foreign Operations, Export Financing, and Related Programs
for the fiscal year ending September 30, 2005, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America
in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Consolidated Appropriations Act, 2005'.

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to 'this Act' contained in any
division of this Act shall be treated as referring only to the provisions of that division.

DIVISION B—DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE
JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

TITLE V—RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$335,282,000, of which \$316,604,000 is for basic field programs and required independent audits; \$2,573,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$13,000,000 is for management and administration; \$1,272,000 is for client self-help and information technology; and \$1,833,000 is for grants to offset losses due to census adjustments: Provided, That not to exceed \$1,000,000 from amounts previously appropriated under this heading may be used for a student loan repayment pilot program.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2004 and 2005, respectively, and except that section 501(a)(1) of Public Law 104-134 (110 Stat. 1321-51 et seq.) shall not apply to the use of the \$1,833,000 to address loss of funding due to Census-based reallocations.

TITLE VI—GENERAL PROVISIONS (INCLUDING RESCISSIONS)

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program,

project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices; (6) reorganizes programs or activities; or (7) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$750,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 640. (a) There is hereby rescinded an amount equal to 0.54 percent of the budget authority provided for in fiscal year 2005 for any discretionary account in this Act.

(b) Any rescission made by subsection (a) shall be applied proportionately--

(1) to each discretionary account and each item of budget authority described in subsection (a); and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

DIVISION J--OTHER MATTERS

TITLE I--MISCELLANEOUS PROVISIONS AND OFFSETS

SEC. 122. (a) ACROSS-THE-BOARD RESCISSIONS- There is hereby rescinded an amount equal to 0.80 percent of--

(1) the budget authority provided (or obligation limitation imposed) for fiscal year 2005 for any discretionary account in divisions A through J of this Act and in any other fiscal year 2005 appropriation Act (except any fiscal year 2005 supplemental appropriation Act, the Department of Homeland Security Appropriations Act, 2005, the Department of Defense Appropriations Act, 2005, or the Military Construction Appropriations Act, 2005);

(2) the budget authority provided in any advance appropriation for fiscal year 2005 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2005 for any program subject to limitation contained in any division or appropriation Act subject to paragraph (1).

(b) PROPORTIONATE APPLICATION- Any rescission made by subsection (a) shall be applied proportionately--

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

This title may be cited as the 'Miscellaneous Appropriations and Offsets Act, 2005'.

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.

*108TH CONGRESS 2ND SESSION
HOUSE OF REPRESENTATIVES
Report 108-576*

*MAKING APPROPRIATIONS FOR COMMERCE, JUSTICE, AND STATE, THE
JUDICIARY, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING
SEPTEMBER 30, 2005, AND FOR OTHER PURPOSES*

*CONFERENCE REPORT
to accompany
H.R. 4818*

July 1, 2004

*DIVISION B—COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND
RELATED AGENCIES APPROPRIATIONS, 2004*

TITLE V—RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The recommendation includes \$335,282,000 for the payment to the Legal Services Corporation. This amount is the same as the fiscal year 2004 level and \$5,982,000 above the request. This amount includes: (1) \$316,604,000 for grants to basic field programs and required independent audits; (2) \$2,573,000 for the Office of Inspector General; (3) \$13,160,000 for Corporation management and administration; and (4) \$2,945,000 for client self-help and information technology.

The Legal Services Corporation is a private, nonprofit corporation that provides low-income individuals with access to legal assistance and information concerning civil legal problems. Created in 1974, the Legal Services Corporation is charged by Congress to provide assistance to those who would otherwise be unable to afford adequate legal counsel.

The Committee notes that the Legal Services Corporation will carry forward into fiscal year 2005 balances remaining from prior year appropriations. The recommendation includes a provision to allow LSC to spend up to \$1,000,000 from such balances for a law school student loan repayment pilot program in fiscal year 2005. Not later than 30 days after enactment of this Act, the Corporation shall submit the following information to the Committee: guidelines and requirements for implementing a loan repayment program, the number of legal aid attorneys who will be able to receive student loan repayment based on the amounts made available, and the original sources of funds that will be re-allocated for a student loan repayment program. The Committee expects that this program will help to encourage more lawyers to pursue careers in legal aid.

ADMINISTRATIVE PROVISION

The Committee recommendation includes bill language to continue statutory requirements and restrictions contained in previous Appropriations Acts.
